

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LAURA ROMERO,

Plaintiff,

v.

CAROLYN W. COLVIN,

Defendant.

Case No. [14-cv-02046-MEJ](#)

ORDER RE: STATEMENTS OF FACTS

As set forth in the Procedural Order for Social Security Review Actions (Dkt. No. 4), this matter will be deemed submitted for decision without oral argument based on the parties' motions for summary judgment and/or remand. In connection with their motions, the parties shall file either a joint statement or separate statements of facts setting forth all relevant medical evidence and written and oral testimony in the Administrative Record (Dkt. No.13). Accordingly, the Court ORDERS the parties to meet and confer by January 7, 2015 for the purpose of determining whether they are able to file a joint statement of facts in the record, or whether it is necessary for the parties to file separate statements of facts.

A. Joint Statement of Facts

If the parties are able to agree on a joint statement of facts, the statement shall be signed by both parties and filed at the same time Defendant files her cross-motion. Each fact must be set forth in a separately numbered paragraph and cite to a specific portion of the Administrative Record where the fact finds support.

B. Separate Statements of Facts

If the parties are unable to agree on a joint statement of facts, they shall comply with the following requirements for separate statements of facts.

1. Plaintiff's Separate Statement of Facts

At least one week prior to the filing deadline for Defendant's cross-motion, Plaintiff must file a statement setting forth each fact from the Administrative Record on which Plaintiff relies in

1 support of her motion, including all relevant medical evidence and written and oral testimony in
2 the Administrative Record. Each fact must be set forth in a separately numbered paragraph and
3 cite to a specific portion of the Administrative Record where the fact finds support.

4 2. Defendant's Statement of Facts

5 At the time Defendant files the cross-motion for summary judgment or for remand,
6 Defendant must also file a statement, separate from the motion and memorandum of law, setting
7 forth: (a) for each paragraph of Plaintiff's separate statement of facts, a correspondingly numbered
8 paragraph indicating whether Defendant disputes the statement of fact as set forth by Plaintiff and,
9 if disputed, a reference to the specific portion of the Administrative Record supporting
10 Defendant's position; and (b) any additional facts from the Administrative Record on which
11 Defendant relies in support of the motion. Each additional fact must be set forth in a separately
12 numbered paragraph and cite to a specific portion of the Administrative Record where the fact
13 finds support.

14 3. Reply Statement of Facts

15 If Defendant sets forth additional facts in the cross-motion, Plaintiff shall file a statement,
16 separate from the reply brief, with correspondingly numbered paragraphs indicating whether
17 Plaintiff disputes the statement of fact as set forth by Defendant and, if disputed, a reference to the
18 specific portion of the Administrative Record supporting Plaintiff's position.

19 **IT IS SO ORDERED.**

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21 Dated: December 24, 2014

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24 MARIA-ELENA JAMES
25 United States Magistrate Judge
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